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AD HOC GROUP ON ARTICLE 13
Third session
Geneva, 16-18 December 1996
Item 2 (a) of the provisional agenda

PROVISIONAL AGENDA AND ANNOTATIONS

Note by the Executive Secretary

I. INTRODUCTION

1. Arrangements have been made for the third session of the Ad Hoc Group on Article 13 (AG13) to be held at the Palais des Nations, Geneva, from 16 to 18 December 1996. The session will be opened by the Chairman at 10 a.m. on Monday, 16 December 1996 in conference room XIX.

II. PROVISIONAL AGENDA

2. The provisional agenda for the third session of the AG13, proposed after consultation with the Chairman, is as follows:

1. Opening of the session.

2. Organizational matters:

   (a) Adoption of the agenda;
   (b) Election of officers other than the Chairman;
   (c) Organization of the work of the session;
   (d) Organization of the work of future sessions.

3. Responses to the questionnaire on the establishment of a multilateral consultative process and other inputs.

4. Proposed schedule of work.

5. Report on the session.

III. ANNOTATIONS TO THE PROVISIONAL AGENDA

1. Opening of the session

3. The third session of the Ad Hoc Group on Article 13 (AG13) will be opened by the Chairman at 10 a.m. on Monday, 16 December 1996 in conference room XIX.

2. Organizational matters

(a) Adoption of the agenda

4. The provisional agenda is presented for adoption (see paragraph 2 above).

(b) Election of officers other than the Chairman

5. Rule 27 of the draft rules of procedure of the Conference of the Parties, as applied, provides for the election of a Bureau to the AG13. The Vice-Chairman and Rapporteur have yet to be elected. Under the authority of the President of the COP, consultations are being held with the regional coordinators regarding the election of the Vice-Chairmen and Rapporteurs of the subsidiary bodies other than the AGBM. The Chairman will provide an oral report on the status of those consultations.

(c) Organization of the work of the session

(i) Documentation

6. In accordance with the conclusions of the AG13 at its second session (FCCC/AG13/1996/2, para. 12), the main documents for the session will consist of the responses to the questionnaire on the establishment of a multilateral consultative process under Article 13 (FCCC/AG13/1996/MISC.1 and Add.1, FCCC/AG13/1996/MISC.2 and Add.1)) and the synthesis of these responses prepared by the secretariat (FCCC/AG13/1996/1). The documents raise issues relating to the mandate, functions, composition and working methods of a possible multilateral consultative process, as well as to the organization of the future work of the AG13.

7. A list of documents relating to the provisional agenda, as well as other documents available at the session, is contained in annex I below.

(ii) Schedule

8. The scheduling of meetings for the session will be based on the availability of facilities during normal working hours, with services available for one meeting with

interpretation from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m. There will also be some facilities available for informal meetings without interpretation, should they be needed. Delegations are urged to use these facilities fully by starting all meetings promptly at the scheduled time. A suggested approach to the organization of work is contained in annex II below.

(d) Organization of the work of future sessions

9. It may be useful to look ahead to the programme of work of future sessions of the AG13. The fourth session of the AG13 could be convened for three days between 27 February and 7 March 1997, and the fifth session for three days in the August meeting schedule, subject to the review of the calendar by the Bureau of the Conference of the Parties (COP). The Chairman will provide an oral report on the decisions of the Bureau of the COP relating to the schedule of meetings under the Convention in 1997. This would permit the scheduling of sessions to avoid overlapping with the sessions of the Ad Hoc Group on the Berlin Mandate (AGBM).

3. Responses to the questionnaire on the establishment of a multilateral consultative process and other inputs

10. The AG13, at its first session, decided to request Parties to make written submissions on issues considered relevant to the establishment of a multilateral consultative process (FCCC/AG13/1995/2, para. 17). Compilations of submissions from Parties and non-parties (FCCC/AG13/1996/MISC.1) and from intergovernmental and non-governmental organizations (FCCC/AG13/1996/MISC.2) relating to the questionnaire circulated by the secretariat on the multilateral consultative process and its design were made available to participants in the February/March 1996 sessions of the subsidiary bodies. Additional submissions were presented in documents FCCC/AG13/1996/MISC.1/Add.1 and FCCC/AG13/1996/MISC.2/Add.1. In addition, a synthesis of these submissions identifying areas of common understanding that seem to be emerging was made available to participants in time for the July 1996 session (FCCC/AG13/1996/1). The AG13, at its second session, noted with approval the synthesis of responses to the questionnaire on the establishment of a multilateral consultative process, and agreed that it would form a useful basis for substantive discussions at the third session.

11. The report of the Chairman on the panel presentation and the discussions on existing consultative, non-compliance and dispute settlement procedures, convened on 9 July 1996, is included in the report on the work of the second session (FCCC/AG13/1996/2).

4. Proposed schedule of work

12. The Conference of the Parties, at its first session, established the AG13 to study all issues relating to a multilateral consultative process and its design (see decision 20/CP.1 contained in FCCC/CP/1995/7/Add.1). The Conference of the Parties, at its second session,

decided that the AGBM may, in any consideration of a multilateral consultative process, seek such advice as may be deemed necessary from the AG13 on this matter (see decision 5/CP.2 contained in FCCC/CP/1996/15/Add.1). Any conclusions of the AGBM at its fifth session, scheduled to be held from 9 to 13 December 1996, that are relevant to the work of the AG13 will be made available to the Group.

13. In the context of the decisions of the COP, the secretariat proposes the following sub-themes for the schedule of work of the session: general discussion on proposals by Parties; discussion on the scope of the proposed mechanism and elements of the procedures to be adopted; and discussion on the future work of the AG13. A proposed schedule of work is given in annex II below.

5. Report on the session

14. The relatively short length of the session, as well as the nature of the discussion, may affect the extent to which a draft text of the report on the work of the session could be available at the end of the session. The AG13 may wish to adopt decisions or texts of substantive conclusions under the relevant items of the agenda and, as at its first and second sessions, authorize the Chairman (or Rapporteur, if elected, under the guidance of the Chairman) to complete the report after the session, with the assistance of the secretariat. While every effort will be made to have conclusions available in all languages, this can only be possible if sufficient time is available for translation.

Annex I

DOCUMENTS BEFORE THE AD HOC GROUP ON ARTICLE 13 AT ITS THIRD SESSION

Document prepared for the session

FCCC/AG13/1996/3	Provisional agenda and annotations

Other documents for the session

FCCC/AG13/1996/1	Questionnaire on the establishment of a multilateral consultative process under Article 13: synthesis of responses
FCCC/AG13/1996/2	Report of the Ad Hoc Group on Article 13 on the work of its second session, held at Geneva on 10 July 1996
FCCC/AG13/1996/MISC.1 and Add.1	Responses to questionnaire relating to the establishment of a multilateral consultative process: submissions by Parties and non-parties
FCCC/AG13/1996/MISC.2 and Add.1	Responses to questionnaire relating to the establishment of a multilateral consultative process : submissions by intergovernmental and non-governmental bodies
FCCC/CP/1995/7 and Add.1	Report of the Conference of the Parties on its first session, held at Berlin from 28 March to 7 April 1995
FCCC/CP/1996/15 and Add.1	Report of the Conference of the Parties on its second session, held at Geneva from 8 to 19 July 1996

Other documents available at the session for reference purposes

A/AC.237/59	Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13)
A/AC.237/MISC.46	Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13): submissions from delegations relating to Article 13

FCCC/CP/1995/MISC.2	Consideration of the establishment of a multilateral consultative process for the resolution of questions regarding implementation (Article 13): a review of selected non-compliance, dispute resolution and implementation review procedures

Annex II

PROPOSED SCHEDULE OF WORK OF THE AD HOC GROUP ON ARTICLE 13

	Monday 16 December	Tuesday 17 December	Wednesday 18 December
10 a.m. to 1 p.m.	General discussion on proposals by Parties	Scope of the mechanism	Future programme of work
3 p.m. to 6 p.m.	Scope of the mechanism	Elements of the procedures	Report on the session

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